

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR DECEMBER 10, 2003
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under two minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** November 12, 2003
- V. ANNOUNCEMENTS:**
- VI. APPROVAL OF THE AGENDA:**
- VII. CONSENT CALENDAR:** (Items with an asterisk *)

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

VIII. PUBLIC HEARING

- 1. S-ZONE APPROVAL (P-SZ2003-10), USE PERMIT NO. P-UP2003-34, VARIANCE NO. P-VA2003-3 AND EIA NO. P-EA2003-10:** A request to redevelop an existing site and construct two buildings and site improvements, including a 5,000 square foot restaurant and a two-story 11,000 square foot office building, a use permit for a restaurant and for not providing eleven (11) required parking spaces, a variance for a rear yard reduction and landscape reduction and a related mitigated negative declaration at 750 E. Calaveras Boulevard (APN: 086-29-079). Applicant: IDA. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ #3164) (*Recommendation: Approval with Conditions*)
- 2. USE PERMIT NO. P-UP2003-45:** A request to add auto repair activities to an existing after-market auto parts sales business without the required 11 automobile spaces at 1503 North Milpitas Boulevard (APN: 022-02-045). Applicant: Automotive R & D. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ# 2356) (*Recommendation: Approval with Conditions*)
- * 3. SIX MONTH REVIEW (P-PR2003-4):** A request for an existing take out restaurant (VK FOOD #3) in regards to any solid waste or odor issues and to verify compliance with all approved special conditions for previously approved Use Permit No. P-UP2002-26 at 141 Dixon Road (APN: 026-05-019). Applicant: Emily Truong. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ# 2296) (*Recommendation: Approval with Conditions*)

- * 4. **TIME EXTENSION NO. P-TE2003-7:** A request for an 18-month time extension for six (6) new apartment units located at 1129-1143 Edsel Court and 1116 & 1124 Shirley Drive (APN: 088-03-057 to 059 & 064 to 066). Applicant: Vincente Songcayawon. Project Planner: Kim Duncan, (408) 586-3283. (PJ# 2295) *(Recommendation: Approval to City Council)*
- * 5. **USE PERMIT NO. P-UP2003-51:** Request to operate a label manufacturing and print shop in an existing 10,250 square foot industrial building at 472 Vista Way (APN: 086-29-068). Applicant: Tek Label & Printing. Project Planner: Staci Pereira, (408) 586-3278. *(Recommendation: Approval with Conditions)*
- * 6. **USE PERMIT NO. P-UP2003-52 AND SITE AND ARCHITECTURAL (P-SA2003-150) APPROVAL AMENDMENT:** A request to modify a row of parking spaces (approximately 15 spaces) by reducing the length of the parking space from 18 feet to 15 feet and to reduce the drive aisle width from 25 feet to 23 feet to preserve five (5) protected trees at 100 N. Milpitas Boulevard (APN 28-12-021). Applicant: Shapell Industries of Northern California. Project Planner: Troy Fujimoto, (408) 586-3287. *(Recommendation: Approval with Conditions)*
- * 7. **USE PERMIT NO. P-UP2003-46 AND "S" ZONE AMENDMENT NO. P-SA2003-135:** Request to operate a child care facility for up to 36 children without providing eight (8) parking spaces and associated site improvements including parking lot modifications and new exterior gated play area in the community center of The Crossings at 757 E. Capitol Avenue (APN: 092-08-95). Applicant Montague Parkway Associates. Project Planner: Staci Pereira, (408) 586-3278. (PJ# 2355) *(Recommendation: Continue to January 28, 2004)*
- * 8. **USE PERMIT NO. P-UP2003-47:** Request to operate a cafe, Starbuck's, with 34 indoor and 13 outdoor seats without providing thirteen (13) required parking spaces at 1487 Landess Avenue (APN: 088-35-011). Applicant: Zeden Jones. Project Planner: Staci Pereira, (408) 586-3278. (PJ# 2357) *(Recommendation: Continue to January 14, 2003)*

IX. NEW BUSINESS

- * 9. **"S" ZONE APPROVAL AMENDMENT (P-SA2003-155):** Request to remove 21 protected trees and replace landscaping located at 542-568 Gibraltar Drive (APN: 086-42-021). Applicant: Bedford Property Investors. Project Planner: Cindy Hom, (408) 586-3284. *(Recommendation: Approval with Conditions)*
- 10. **STATUS REVIEW OF HOUSING ELEMENT IMPLEMENTATION POLICIES:** A staff presentation on housing development projects, affordable housing, and housing activities and policies. Staff Contact: Felix Reliford, Principal Housing Planner, (408) 586-3071. *(No action necessary)*
- 11. **PERSONAL RAPID TRANSIT PRESENTATION:** A presentation on Personal Rapid Transit (PRT) by Rob Means, representing the Sunnyhills Neighborhood Association. *(No action necessary)*

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS January 14, 2003

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Chair Nitafan-regular member, Vice Chair Williams-regular member and Deepka Lalwani-alternate member) of the Planning Commission, who have approval authority for minor “S” Zone project reviews not involving public hearings. The project reviews are held at 6:30 P.M. on Planning Commission meeting nights, in the City of Milpitas City Hall Committee Room, First Floor, 455 E. Calaveras Boulevard. **However, this meeting will begin at 5:30 p.m.**

- a. **“S” ZONE APPROVAL AMENDMENT NO. P-SA2003-146:** Request to construct a new glass entry at the rear and cover the existing open courtyard with skylights located at 100 N. Milpitas Boulevard (APN 28-12-021). Applicant: Habitec. Project Planner Cindy Hom, (408) 586-3284.
- b. **“S” ZONE APPROVAL AMENDMENT NO. P-SA2003-149:** Request to have a one-day outdoor tent event in the rear parking lot located at 100 N. Milpitas Boulevard (APN 28-12-021). Applicant: Shapell Industries. Project Planner Cindy Hom, (408) 586-3284.
- c. **“S” ZONE APPROVAL AMENDMENT NO. P-SA2003-156:** Request to install a 4 sq. ft. double-faced projecting logo sign for Starbuck’s located at 353 Jacklin Rd. APN 26-28-029). Applicant: JSJ Electrical Design. Project Planner Cindy Hom, (408) 586-3284.
- d. **“S” ZONE APPROVAL AMENDMENT NO. P-SA2003-160:** Request to install an 8 foot 6 inch tall metal canopy in the side yard located at 625 Trade Zone Drive (APN: 086-36-003). Applicant: Low Price Auto Glass. Project Planner: Kim Duncan, (408) 586-3283.
- e. **COMPLIANCE WITH APPROVED CONDITIONS OF APPROVAL FOR SITE AND ARCHITECTURE (P-SZ2003-3) – PARC NORTH:** Review of Special Conditions No. 3 and 10 in regards to the previously approved project in regards to site, architecture, and landscaping improvements. Project Planner: Troy Fujimoto, (408) 586-3287.
- f. **“S” ZONE APPROVAL AMENDMENT NO. P-SA2003-163:** Request to have a one-day outdoor tent event in the undeveloped section adjacent to the campus’s front parking lot located at 1000 Gibraltar Drive (APN 86-42-026). Applicant: Lifescan. Project Planner Cindy Hom, (408) 586-3284.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR NOVEMBER 12, 2003
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** October 22, 2003
- V. ANNOUNCEMENTS:**
- VI. APPROVAL OF THE AGENDA:**
- VII. CONSENT CALENDAR:** (Items with an asterisk *)

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

VIII. PUBLIC HEARING

- 1. SIX-MONTH REVIEW OF USE PERMIT NO. 1488 AND USE PERMIT AMENDMENT NO. P-UA2003-21:** Verification of compliance with conditions and request for modification of conditions that pertain to live entertainment, number of bar stools and percentage of liquor sales for Ola's Corner Restaurant at 167 S. Main Street (APN: 086-08-049). Applicant: Ola Hassan. Project Planner: Staci Pereira, (408) 586-3278. (PJ # 2349) (*Recommendation: Approve modified conditions of approval*)
- 2. USE PERMIT NO. P-UP2003-40:** A request to operate an internet cafe in the Foothill Square shopping center located at 365 Jacklin Road (APN: 026-28-029). Applicant: Allan Uy. Project Planner: Kim Duncan, (408) 586-3283. (PJ# 2352) (*Recommendation: Approval with conditions*)
- * 3. USE PERMIT NO. P-UP2003-38 and 'S' ZONE APPROVAL AMENDMENT NO. P-SA2003-120:** A request to install three (3) telecommunication antennas and associated equipment cabinets on the Embassy Suites Hotel rooftop located at 901 E. Calaveras Boulevard (APN: 028-26-001). Applicant: MetroPCS. Project Planner: Kim Duncan, (408) 586-3283. (PJ# 2350) (*Recommendation: Approval with conditions*)

- * 4. **SIX-MONTH REVIEW (P-PR2003-3) OF "S" ZONE APPROVAL AMENDMENT (P-SA2001-84):** A six month review for the Pro Home Depot store to review compliance with all previously approved conditions of approval at 1535 Landess Avenue (APN: 088-35-017). Project Planner: Troy Fujimoto, (408) 586-3287. (PJ# 2278) (*Recommendation: Note receipt and file*)
- * 5. **TIME EXTENSION NO. P-TE2003-5:** Request for a one-time, 18-month time extension for a previously approved Buddhist temple expansion (P-SA2002-20 and P-UA2002-5) for the Avatamsaka Buddhist Lotus Society at 50 S. Main Street (APN: 086-27-032 and -046). Applicant: Tien Inn Master. Project Planner: Staci Pereira, (408) 586-3278. (PJ# 3120) (*Recommendation: Approval with conditions*)
- * 6. **USE PERMIT NO. P-UP2003-35:** Request to operate a video store located at 769 East Capitol Avenue (APN: 092-06-033). Applicant: Cindy Hong. Project Planner: Kim Duncan, (408) 586-3283. (PJ# 2348) (*Recommendation: Approval with conditions*)

IX. NEW BUSINESS

- * 7. **ADMINISTRATIVE ITEM NO. P-AD2003-17:** Approve 2004 Planning Commission meeting schedule provided in the agenda packet. Acting Planning Manager: James Lindsay, (408) 586-3274. (*Recommendation: Approval*)

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS December 10, 2003

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MILPITAS PLANNING COMMISSION SUBCOMMITTEE

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- a. **"S" ZONE APPROVAL AMENDMENT NO. P-SA2003-143:** Request to replace and install two new six-foot freestanding monument signs with halo illuminated lettering and logo located at 311 Turquoise Street (APN 86-39-027) and 1000 S. Milpitas Boulevard. (86-30-016). Applicant: Northwest Signs. Project Planner Cindy Hom, (408) 586-3284.
- b. **COMPLIANCE WITH SPECIAL CONDITION RELATED TO S-ZONE APPROVAL (P-SZ2003-3):** Compliance with Special Condition No. 6 related to the construction of a 4,000 square foot retail building at 100 North Milpitas Boulevard (APN: 028-12-021). Project Planner: Troy Fujimoto, (408) 586-3287.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR OCTOBER 22, 2003
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** October 8, 2003
- V. ANNOUNCEMENTS:**
- VI. APPROVAL OF THE AGENDA:**
- VII. CONSENT CALENDAR:** (Items with an asterisk *)

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VIII. PUBLIC HEARING

- 1. SIX MONTH REVIEW OF USE PERMIT NO. 1532 (P-UA2003-17):**
Verification of compliance with all conditions of approval for Use Permit No. 1532 for a cafe (Q-Cup) at 1679 N. Milpitas. Blvd. (APN 22-02-049).
Applicant: Ted Chen, Q-Cup. Project Planner: Staci Pereira, (408) 586-3278. (PJ #2191) (*Recommendation: Approval of new conditions*)
- * 2. USE PERMIT NO. P-UP2003-36:** Request to operate an automotive smog test center located at 1358 Minnis Circle, zoned HS-Highway Services (APN: 022-02-040). Applicant: Kevin Wong. Project Planner: Kim Duncan, (408) 586-3283. (PJ# 2347) (*Recommendation: Approval with conditions*)
- * 3. SIX-MONTH REVIEW OF USE PERMIT NO. 1488:** Verification of compliance with conditions of approval for Ola's Corner Restaurant at 167 S. Main Street (APN: 086-08-049) Applicant: Ola Hassan. Project Planner: Staci Pereira, (408) 586-3278. (PJ #2349) (*Recommendation: Continue to November 12, 2003*)

- * 4. **USE PERMIT NO. P-UP2003-33:** *(Continued from October 8, 2003)* A request to operate a computer learning center/arcade without providing three (3) required parking spaces at 1319 Jacklin Road, zoned C1-Neighborhood Commercial district (APN: 029-05-040). Applicant: Hermilo Isla & Edgar Rondez. Project Planner: Kim Duncan, (408) 586-3283. *(Recommendation: Approval with Conditions)*
- * 5. **SIX-MONTH REVIEW OF USE PERMIT AMENDMENT NO. P-UA2002-21:** *(Continued from October 8, 2003)* Verification of compliance with all conditions of approval including maximum number of seats and ensuring trash bins are kept within the existing enclosures at 89 S. Park Victoria Drive (APN: 088-04-048). Applicant: Manuel Montono. Project Planner: Staci Pereira, (408) 586-3278. (PJ #2334) *(Recommendation: Approve modified condition of approval)*
- * 6. **TIME EXTENSION (P-TE2003-4):** A request for a one time, 18-month time extension of a previously approved Hillside Site and Architecture Review and Use Permit for a 1,100 square foot hillside guest house at 461 Vista Ridge Drive, zoned R1-H, Single Family Hillside (APN: 042-30-007). Applicant: Javier Mercado. Project Planner: Troy Fujimoto, (408) 586-3287. *(Recommendation: Recommend approval to City Council with approved conditions)*

IX. NEW BUSINESS

- * 7. **"S" ZONE APPROVAL AMENDMENT NO. P-SA2003-128:** Request to remove nine (9) protected trees at 1485 Country Club Drive located in the hillside zoning district (APN: 029-03-018). Applicant: Frank Houghton. Project Planner: Kim Duncan, (408) 586-3283. *(Recommendation: Approval with conditions)*

X. ADJOURNMENT

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MILPITAS PLANNING COMMISSION SUBCOMMITTEE

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- a. **"S" ZONE APPROVAL AMENDMENT NO. P-SA2003-123:** Request to rework parking to install above ground generator and 452 sq. ft. stucco enclosure located at 698 Gibraltar (APN 86-42-018). Applicant: CAS Architects, Inc. Project Planner Cindy Hom, (408) 586-3284.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR OCTOBER 8, 2003
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
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- IV. APPROVAL OF MINUTES:** September 24, 2003
- V. ANNOUNCEMENTS:**
- VI. APPROVAL OF THE AGENDA:**
- VII. CONSENT CALENDAR:** (Items with an asterisk *)

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VIII. PUBLIC HEARING

- 1. SIX MONTH REVIEW OF USE PERMIT NO. 1532 (P-UA2003-17):**
Verification of compliance with all conditions of approval for Use Permit No. 1532 for a cafe (Q-Cup) at 1679 N. Milpitas. Blvd. (APN 22-02-049).
Applicant: Ted Chen, Q-Cup. Project Planner: Staci Pereira, (408) 586-3278. (PJ #2191) (*Recommendation: Approval of new conditions*)
- 2. USE PERMIT NO. P-UA2002-28 (P-AD2003-11) AND USE PERMIT AMENDMENT NO. P-UA2003-15 AND S-ZONE AMENDMENT (P-SA2003-118):** Expiration of a temporary use permit for karaoke and dancing (live entertainment) in a nightclub/ballroom setting at the Manila-Natori Restaurant and a new request to add live entertainment (karaoke and dancing), add 34 seats for special events, construct a new garbage enclosure, and a request for the joint use of 20 parking spaces at an existing restaurant (Manila Natori Restaurant) at 579 South Main Street in the Mixed Use (MXD) zoning district (APN: 086-11-012). Project Planner: Troy Fujimoto, (408) 586-3287. (PJ #2343) (*Recommendation: Approval of new use permit with conditions and note receipt and file of expiration of temporary use permit*)

- * 3. **USE PERMIT NO. P-UP2003-33:** A request to operate a computer learning center/arcade at 1319 Jacklin Road, zoned C1-Neighborhood Commercial district (APN: 029-05-040). Applicant: Hermilo Isla & Edgar Rondez. Project Planner: Kim Duncan, (408) 586-3283. (PJ# 2346) (*Recommendation: Continue to October 22, 2003*)
- * 4. **SIX-MONTH REVIEW OF USE PERMIT AMENDMENT NO. P-UA2002-21:** (*Continued from September 24, 2003*) Verification of compliance with all conditions of approval including maximum number of seats and ensuring trash bins are kept within the existing enclosures at 89 S. Park Victoria Drive (APN: 088-04-048). Applicant: Manuel Montono. Project Planner: Staci Pereira, (408) 586-3278. (PJ #2334) (*Recommendation: Continue to October 22, 2003*)

IX. NEW BUSINESS

- 5. **DISCUSSION OF THE FISCAL YEAR 2003-2004 CAPITAL IMPROVEMENT PROGRAM:** Acting Planning Manager, James Lindsay (408) 586-3274. (*Recommendation: N/A*)

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS October 22, 2003

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- a. **"S" ZONE APPROVAL AMENDMENT NO. P-SA2003-122:** Request to relocate 4'-5" entrance sign located at 915 Murphy Ranch Road (APN 86-02-067). Applicant: J Blake Design. Project Planner Cindy Hom, (408) 586-3284.
- b. **"S" ZONE APPROVAL AMENDMENT NO. P-SA2003-125:** Request to install a new water tank and reverse osmosis system and to enclose a 200 sq. ft. area with a 10'-8" chain-link fence with vinyl slats located at 195 S. Milpitas Blvd. (APN 86-39-023). Applicant: FZ Consultants. Project Planner Cindy Hom, 408-586-3284.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR SEPTEMBER 24, 2003
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** September 10, 2003
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VIII. PUBLIC HEARING

- 1. "S" ZONE AMENDMENT NO. P-SA2002-111:** Request to waive the roof equipment screening requirement, and review of revised landscape plan, at 167 S. Main Street (Ola's Restaurant) (APN: 086-08-48 & 49). Applicant: Ola Hassan. Project Planner: Staci Pereira, (408) 586-3278. (*Recommendation: A) Recommend to the City Council approval with conditions of waiver of roof equipment screening requirement, B) Approval of revised landscape plan and A/C equipment screening with conditions*)
- 2. USE PERMIT AMENDMENT NO. P-UA2003-18:** Second 6-month review for Anh Hong Saigon Restaurant to verify compliance with special conditions of approval associated with Use Permit Amendment No. P-UA2002-9. Applicant: Anh Hong Saigon Restaurant. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ #2138) (*Recommendation: Extend the six month review for another six months*)
- * 3. USE PERMIT AMENDMENT NO. P-UA2003-16:** Request to expand an existing grocery store (Manila Oriental Market) to 2,850 square feet and add 20 seats without providing six (6) required parking spaces at 179 W. Calaveras Blvd. (APN: 22-25-041) located in the (C2) General Commercial zoning district. Applicant: Lucita Finular. Project Planner: Staci Pereira, (408) 586-3278. (PJ #2333) (*Recommendation: Approval with Conditions*)

- * 4. **USE PERMIT NO. P-UP2003-32:** A request to locate a 13-station internet cafe at 142 West Calaveras Boulevard (APN: 022-24-037) in the General Commercial (C-2) zoning district. Applicant: Netstrife LLC. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ #2345) (*Recommendation: Approval with Conditions*)
- * 5. **USE PERMIT AMENDMENT NO. P-UA2003-14:** A request to expand the Banana Leaf restaurant into an adjacent 1,100 square foot tenant space, increase indoor seating from 104 to 168 seats and outdoor seating from 30 to 47 seats without adding providing seventeen (17) required parking spaces. The restaurant is located at 182 Ranch Drive-zoned C2, General Commercial (APN: 022-54-011). Applicant: Kay Tan. Project Planner: Kim Duncan, (408) 586-3283. (PJ# 2168) (*Recommendation: Approval with Conditions*)
- * 6. **SIX-MONTH REVIEW OF USE PERMIT AMENDMENT NO. P-UA2002-21:** (*Continued from September 10, 2003*) Verification of compliance with all conditions of approval including maximum number of seats and ensuring trash bins are kept within the existing enclosures at 89 S. Park Victoria Drive (APN: 088-04-048). Applicant: Manuel Montono. Project Planner: Staci Pereira, (408) 586-3278. (PJ #2334) (*Recommendation: Continue to October 8, 2003*)

IX. NEW BUSINESS

- * 7. **ADMINISTRATIVE PERMIT NO. P-AD2003-14 (C.3 STORMWATER GUIDEBOOK):** Approve Planning Commission Resolution No. 494 to adopt the City of Milpitas C3 Stormwater Guidebook to implement and apply the new C.3 urban runoff requirements to all relevant developments. Project Contact: Tambri Heyden, (408) 586-3280. (*Recommendation: Approval*)
- * 8. **ADMINISTRATIVE PERMIT NO. P-AD2003-15:** Request to allow after-market automotive part sales in the Highway Services (HS) zoning district located at 1506 North Milpitas Boulevard (APN: 022-02-045). Project Planner: Kim Duncan (408) 586-3283. (*Recommendation: Approval*)

X. ADJOURNMENT

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- a. There being no items for consideration, the Planning Commission Subcommittee meeting is canceled.

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AGENDA FOR SEPTEMBER 10, 2003
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under two minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** August 27, 2003
- V. ANNOUNCEMENTS:**
- VI. APPROVAL OF THE AGENDA:**
- VII. CONSENT CALENDAR:** (Items with an asterisk *)

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

VIII. PUBLIC HEARING

- 1. VARIANCE NO. P-VA2003-2 AND "S" ZONE AMENDMENT NO. P-SA2003-61:** *(Continued from August 27, 2003)* A request to exceed the maximum allowed impervious surface coverage in order to accommodate wood decking and other back yard amenities for the single family hillside residence located at 510 Vista Spring Court (APN 042-30-017). Applicant: Franklin and Celina Camillo. Project Planner: Annelise Judd, (408) 586-3273. *(Recommendation: Recommend Approval with Conditions to City Council)*
- 2. VESTING MAJOR TENTATIVE MAP (P-MA2003-1), SITE AND ARCHITECTURE REVIEW (P-SZ2003-1) AND USE PERMIT NO. P-UP2003-2:** A request to subdivide a single 7.3 acre parcel, located at 95 East Curtis Avenue (APN: 086-25-024) into 19 parcels for a 285-unit multi-family residential development with exceptions to the following R-4 (Multi-Family Very High Residential) development standards; setbacks, auto and bicycle parking, and open space. Applicant: Parc North Associates LLC. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ# 3101) *(Recommendation: Approve Site and Architecture Review and Use Permit requests and recommend to City Council approval of Vesting Major Tentative Map)*

- * 3. **USE PERMIT NO. P-UP2003-29:** Request for a new, 48-seat restaurant (Hai Noodle) without providing seven (7) required parking spaces at 275 West Calaveras Boulevard, zoned C2 - General Commercial district (APN: 022-25-042) Applicant: Hai Ho. Project Planner: Staci Pereira, 586-3278. (PJ # 2336) *(Recommendation: Approval with Conditions)*
- * 4. **SIX MONTH REVIEW OF USE PERMIT AMENDMENT NO. P-UA2002-21:** Verification of compliance with all conditions of approval including maximum number of seats and ensuring trash bins are kept within the existing enclosures at 89 S. Park Victoria Drive, zoned C1 - Neighborhood Commercial district (APN: 88-04-048). Applicant: Big Boyz BBQ. Project Planner: Staci Pereira, 586-3278. (PJ #2334) *(Recommendation: Continue to September 24, 2003)*

IX. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS September 24, 2003

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Chair Nitafan-regular member, Alex Galang-regular member and Paul Hay-alternate member) of the Planning Commission, who have approval authority for minor "S" Zone project reviews not involving public hearings. The project reviews are held at **6:30 P.M.** on Planning Commission meeting nights, in the City of Milpitas City Hall Committee Room, First Floor, 455 E. Calaveras Boulevard.

- a. **'S' ZONE AMENDMENT NO. P-SA2003-112:** Request to install a 6-foot wooden perimeter fence located at 260 S. Main Street (APN 86-27-009). Applicant: Jim Rocha. Project Planner Cindy Hom, (408) 586-3284.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR AUGUST 27, 2003
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under two minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** August 13, 2003
- V. ANNOUNCEMENTS:**
- VI. APPROVAL OF THE AGENDA:**
- VII. CONSENT CALENDAR:** (Items with an asterisk *)

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

VIII. PUBLIC HEARING

- 1. VARIANCE NO. P-VA2003-2 AND "S" ZONE AMENDMENT NO. P-SA2003-61:** *(Continued from June 25, 2003)* A request to exceed the maximum allowed impervious surface coverage in order to accommodate wood decking and other back yard amenities for the single family hillside residence located at 510 Vista Spring Court (APN 042-30-017). Applicant: Franklin and Celina Camillo. Project Planner: Annelise Judd, (408) 586-3273. *(Recommendation: Recommend denial to the City Council)*
- 2. USE PERMIT AMENDMENT NO. P-UA2003-4** *(Continued from August 13, 2003):* A request to amend Use Permit No. 1023 to add live entertainment, extend hours of operation to 1:00 A.M. on weekends, and permit serving alcoholic beverages at an existing restaurant (Royal City) located at 90 S. Abel Street without adding required parking for these new uses at Abel Plaza, zoned MXD-TOD - Mixed Use with Transit Oriented Development overlay (APN: 22-40-045). Applicant: Young Thai (Royal City Restaurant). Project Planner: Staci Pereira, (408) 586-3278. (PJ#2316) *(Recommendation: Approval with conditions)*

- * 3 **"S" ZONE AMENDMENT NO. P-SA2003-103 AND USE PERMIT NO. P-UP2003-30:** A request to construct a 3,000 square foot modular building to house classrooms for senior activities in conjunction with the existing interim Senior Center, including new landscaping, trash enclosure and development standard deviations at 540 S. Abel Street - zoned MXD, Mixed Use (APN 86-10-025). Applicant: City of Milpitas. Project Planner: Staci Pereira, (408) 586-3278. CP#8151. *(Recommendation: Approval with conditions)*

IX. UNFINISHED BUSINESS

4. **VESTING MAJOR TENTATIVE MAP (P-MA2003-2):** Consider street names for proposed new cul-de-sac with 19-lot single-family residential subdivision on 3.6-acre parcel at 1405 Kennedy Drive (APN 029-41-024). Applicant: The Riding Group. Project Planner: Annelise Judd, (408) 586-3273 (PJ#3159). *(Recommendation: Make street name recommendation to City Council)*

X. NEW BUSINESS

5. **DISCUSSION OF NEW ANTENNA REGULATIONS:** Presentation of the impact on existing, residential satellite dishes resulting from the wireless communication facilities regulations adopted May 20, 2003. Presenter: Tambri Heyden, (408) 586-3280. *(Recommendation: N/A)*

XI. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS September 10, 2003

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Chair Nitafan-regular member, Alex Galang-regular member and Paul Hay-alternate member) of the Planning Commission, who have approval authority for minor "S" Zone project reviews not involving public hearings. The project reviews are held at **6:30 P.M.** on Planning Commission meeting nights, in the City of Milpitas City Hall Committee Room, First Floor, 455 E. Calaveras Boulevard.

- a. **'S' ZONE AMENDMENT NO. P-SA2003-98:** Request to relocate and construct a new 170 sq. ft. masonry trash enclosure located at 1090 S. Milpitas Blvd. (APN 86-30-038). Applicant: Dave Johnson. Project Planner Cindy Hom, (408) 586-3284.
- b. **HILLSIDE 'S' ZONE APPLICATION P-SA2003-109:** Compliance with special conditions relating to review of revised landscape plan and entry fence and gate for single-family residence at 1350 Country Club Drive (APN 29-03-020). Applicant: Victor and Imelda DeLeon. Project Planner: Annelise Judd, (408) 586-3273.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR AUGUST 13, 2003
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** July 23, 2003
- V. ANNOUNCEMENTS:**
- VI. APPROVAL OF THE AGENDA:**
- VII. CONSENT CALENDAR:** (Items with an asterisk *)

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

VIII. PUBLIC HEARING

- 1. VESTING MAJOR TENTATIVE MAP (P-MA2003-2), MITIGATED NEGATIVE DECLARATION (P-EA2003-8) and USE PERMIT NO. 157:** Request to subdivide a 3.6-acre parcel into 19 single-family residential lots in conformance with the existing zoning district development standards and to rescind Use Permit No. 157 regarding an existing church use, at 1405 Kennedy Drive, zoned R1-6, single family residential (APN: 029-41-024). Applicant: The Riding Group. Project Planner: Annelise Judd, (408) 586-3273. (PJ#3159) *(Recommendation: Recommend to Council approval with conditions)*
- 2. VTA'S VTP 2020 LONG RANGE TRANSPORTATION PLAN UPDATE (P-AD2003-13):** Request to prioritize the list of the City's transportation projects for inclusion in the Santa Clara Valley Transportation Plan (VTP) 2020. Project Planner: Joe Oliva, (408) 586-3290. *(Recommendation: Recommend to Council prioritization of the transportation projects)*

- * **3 USE PERMIT NO. P-UP2003-27:** Request to operate a video store (Viet Video) in an existing 900 square foot retail space at Park Victoria Shopping Center, located at 84 South Park Victoria Drive, zoned C1-Neighborhood Commercial (APN: 088-04-078). Applicant: Oanh Bui. Project Planner: Kim Duncan, (408) 586-3283. (PJ #2339) *(Recommendation: Approval with conditions)*
- * **4 USE PERMIT AMENDMENT NO. P-UA2003-4** *(Continued from July 23, 2003):* A request to amend Use Permit No. 1023 to add live entertainment, extend hours of operation to 1:00 A.M. on weekends, and permit serving alcoholic beverages at an existing restaurant (Royal City) located at 90-94 S. Abel Street without adding required parking for these new uses at Abel Plaza, zoned MXD-TOD - Mixed Use with Transit Oriented Development overlay (APN: 22-40-045). Applicant: Young Thai (Royal City Restaurant). Project Planner: Staci Pereira, (408) 586-3278. (PJ#2316)*(Recommendation: Continue to August 27, 2003)*

IX. NEW BUSINESS

- 5. PRESENTATION OF PROPOSED CITY LIBRARY LOCATION ON MAIN STREET:** City staff presentation regarding the city's new library location at the historic elementary school site at the southwest corner of N. Main Street and Weller Lane. City staff: Mark Rogge, (408) 586-3163 and Greg Armendariz, (408) 586-3220. *(Recommendation: N/A)*

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS August 27, 2003

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MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Chair Nitafan-regular member, Alex Galang-regular member and Paul Hay-alternate member) of the Planning Commission, who have approval authority for minor "S" Zone project reviews not involving public hearings. The project reviews are held at **6:30 P.M.** on Planning Commission meeting nights, in the City of Milpitas City Hall Committee Room, First Floor, 455 E. Calaveras Boulevard.

- a. 'S' ZONE AMENDMENT NO. P-SA2003-99:** Request to replace two existing freestanding signs with two new freestanding signs less than six (6) feet in height located at 1000 Gibraltar Drive (APN: 086-42-026). Applicant: Ken Fisher. Project Planner: Kim Duncan, (408) 586-3283.
- b. 'S' ZONE AMENDMENT NO. P-SA2003-97:** Request for a one-day outdoor gaming tournament and computer event with use of PA system located at 124 Great Mall Drive (APN: 086-24-055). Applicant: Cyber Hunt Café. Project Planner: Cindy Hom, (408) 586-3284.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR JULY 23, 2003
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** July 9, 2003
- V. ANNOUNCEMENTS:**
- VI. PLANNING COMMISSION CHAIR SERVICE PLAQUE TO PAUL HAY:**
(A short recess will be called)
- VII. APPROVAL OF THE AGENDA:**
- VIII. CONSENT CALENDAR:** (Items with an asterisk *)

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

IX. PUBLIC HEARING

- * **1. USE PERMIT NO. P-UP2003-24:** A request for a new, 40-seat take-out restaurant and bakery (Lee's Sandwiches) without replacing two (2) required parking spaces lost by constructing a garbage enclosure at 275 West Calaveras Boulevard, zoned C2 – General Commercial district (APN 022-25-042) PJ No. 2336. Applicant: Jenny Le Truong. Project Planner: Troy Fujimoto, (408) 586-3287. *(Recommendation: Approval with conditions)*
- * **2. USE PERMIT NO. P-UP2003-25:** A request to operate a women's weight loss center with circuit training (Curves) in an existing 3,000 square foot tenant space at 487 Los Coches Street, zoned MP - Industrial Park (APN 86-28-032) PJ No. 2337. Applicant: Stacy Vierra. Project Planner: Staci Pereira, (408) 586-3278. *(Recommendation: Approval with conditions)*

- * 3. **USE PERMIT AMENDMENT NO. P-UA2003-4:** A request to amend Use Permit No. 1023 to add live entertainment, extend hours of operation on weekends, and permit serving alcoholic beverages at an existing restaurant (Royal City) located at 90-94 S. Abel Street without adding required parking for these new uses at Abel Plaza, zoned MXD-TOD - Mixed Use with Transit Oriented Development overlay (APN 22-40-045) PJ No. 2316. Applicant: Young Thai (Royal City Restaurant). Project Planner: Staci Pereira, (408) 586-3278. *(Recommendation: Continue to August 13, 2003)*
4. **USE PERMIT NO. P-UA2002-28 (P-AD2003-11):** Expiration of a temporary use permit for karaoke and dancing (live entertainment) in a nightclub/ballroom setting at the Manila-Natori Restaurant at 579 S. Main Street, zoned MXD - Mixed Use district (APN: 086-11-012). Project Planner: Troy Fujimoto, (408) 586-3287. *(Recommendation: Approval with conditions)*

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS August 13, 2003

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Chair Nitafan-regular member, Alex Galang-regular member and Paul Hay-alternate member) of the Planning Commission, who have approval authority for minor "S" Zone project reviews not involving public hearings. The project reviews are held at **6:30 P.M.** on Planning Commission meeting nights, in the City of Milpitas City Hall Committee Room, First Floor, 455 E. Calaveras Boulevard.

- a. **'S' ZONE AMENDMENT NO. P-SA2003-86:** Request for a new 320 square foot sunroom addition to a single-family residence located at 1023 Courtland Avenue (APN: 88-33-080). Applicant: California Sunrooms. Project Planner: Kim Duncan, (408) 586-3283.
- b. **'S' ZONE AMENDMENT NO. P-SA2003-91:** Request to enclose existing loading docks (1,780 square foot addition) and replace roll-up doors with person doors of an existing industrial building at South Bay Tech Center located at 1601 South Main Street (APN: 86-21-073). Applicant: Mark Snow. Project Planner: Kim Duncan, (408) 586-3283.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR JULY 9, 2003
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under two minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** June 25, 2003
- V. ANNOUNCEMENTS:**
- VI. APPROVAL OF THE AGENDA**
- VII. ELECTION OF OFFICERS:**
- VIII. CONSENT CALENDAR** (Items with an asterisk *)

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

IX. PUBLIC HEARING

- * **1. USE PERMIT NO. P-UP2002-45 and 'S' ZONE AMENDMENT NO. P-SA2002-108:** A request for the installation of six (6) telecommunication antennas and associated equipment cabinets behind existing screening on the rooftop of the building located at 1545 Barber Lane, zoned MP - Industrial Park (APN: 086-03-038). Applicant: AT&T Wireless. Project Planner: Kim Duncan, (408) 586-3283. (PJ # 2313). *(Recommendation: Approval with conditions.)*
- * **2. USE PERMIT NO. P-UP2003-22:** A request to operate an auto parts store in a 2,400 square foot tenant space at 1370 Minnis Circle, zoned HS - Highway Services district (APN 022-02-039). Applicant: Guadalupe Ortiz. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ# 2334). *(Recommendation: Approval with conditions.)*
- * **3. MINOR TENTATIVE PARCEL MAP NO. P-MI2003-2:** A request for a minor tentative parcel map to convert three buildings to condominium ownership at 835, 790 and 875 Yosemite Way, located in Yosemite Business Park, zoned M2 - Heavy Industrial (APN's: 86-31-064, -068 and -067). Applicant: WP Investments. Project Planner: Staci Pereira, (408) 586-3278. (PJ#3117). *(Recommendation: Approval with conditions.)*

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS July 23, 2003

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Dem Nitafan-regular member, Alex Galang-regular member and Chair Hay-alternate member) of the Planning Commission, who have approval authority for minor "S" Zone project reviews not involving public hearings. The project reviews are held at **6:30 P.M.** on Planning Commission meeting nights, in the City of Milpitas City Hall Committee Room, First Floor, 455 E. Calaveras Boulevard.

- a. P-PD2002-1:** Compliance with approved special condition for the Edsel Court Apartments to review plans for the following: new carports, trash enclosures, good neighbor fence, low stone walls at project entries, and colored pavers. Included is a request for revisions to the building color scheme and the configuration of low stone walls at the project entries, as well as a request for project signage to be displayed on the low stone walls at project entries. Project site: 1129 & 1143 Edsel Drive and 1116 & 1124 Shirley Drive (APN 88-03-057 to 059 & 064 to 066). Applicants: Vicente Songcayawon, Florencio & Elsa Mendoza, Robert & Sylvia Pacleb, Tony & Bella Lin. Project Planner: Annelise Judd, 408-586-3273.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR JUNE 25, 2003
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under two minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** June 11, 2003
- V. ANNOUNCEMENTS:**
- VI. APPROVAL OF THE AGENDA**
- VII. CONSENT CALENDAR** (Items with an asterisk *)

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

VIII. PUBLIC HEARING

- *
 - 1. VARIANCE NO. P-VA2003-2 AND "S" ZONE AMENDMENT NO. P-SA2003-61:** *(Continued from June 11, 2003 meeting)* A request to exceed the maximum allowed impervious surface coverage in order to accommodate wood decking and other back yard amenities for the single family hillside residence located at 510 Vista Spring Court (APN 042-30-017). Applicant: Franklin and Celina Camillo. Project Planner: Annelise Judd, (408) 586-3273. *(Recommendation: Continue to August 27, 2003 meeting)*
 - 2. "S" ZONE AMENDMENT NO. P-SA2003-3:** Request for building and site improvements associated with converting a residence to a commercial building for medical use at 429 South Main Street (APN 086-10-022), zoned MXD, Mixed Use district. Applicant: Hien N. Nguyen and Nicole Thanh-Cam Vecchi. Project Planner: Staci Pereira, (408) 586-3278. *(Recommendation: Approval with Conditions)*

- * 3. **USE PERMIT NO. P-UP2003-17 and 'S' ZONE AMENDMENT NO. P-SA2003-8:** *(Continued from May 28, 2003 meeting)* A request for the for the installation of twelve (12) telecommunication antennas and associated equipment cabinet on the Embassy Suites Hotel rooftop located at 901 E. Calaveras Boulevard, zoned Town Center (APN: 028-26-001). Applicant: Verizon Wireless. Project Planner: Kim Duncan, (408) 586-3283. (PJ #2246). *(Recommendation: Applicant has withdrawn application)*

IX. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS July 9, 2003

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MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Deepka Lalwani-regular member, Alex Galang-regular member, Dem Nitafan-alternate member and Chair Hay-when a regular and the alternate member are not available) of the Planning Commission, who have approval authority for minor "S" Zone project reviews not involving public hearings. The project reviews are held at **6:30 P.M.** on Planning Commission meeting nights, in the City of Milpitas City Hall Committee Room, First Floor, 455 E. Calaveras Boulevard.

- a. **S-ZONE AMENDMENT NO. P-SA2003-74:** Request to install a new light pole at the north end of parking lot located in Milpitas Center (APN: 22-25-037). Applicant: William Cilker. Project Planner: Cindy Hom, 408-586-3284.
- b. **S-ZONE AMENDMENT NO. P-SA2003-72:** Request to modify the existing main building entrance at the front of the building at 847 Gibraltar Drive (APN: 086-42-020). Applicant: John Bellian. Project Planner: Troy Fujimoto, 408-586-3287.
- c. **S-ZONE AMENDMENT NO. P-SA2003-73:** Request for a new 720 square foot trellis on the building street side of the property located at 1533 California Circle (APN: 022-37-045). Applicant: Alex Ross. Project Planner: Kim Duncan, 408-586-3283.
- d. **S-ZONE AMENDMENT NO. P-SA2003-78:** Request to remove 360 square feet of existing landscaping with no net reduction in the number of on-site trees for minor R&D building exterior modifications located at 933 Murphy Ranch Road (APN: 086-02-067). Applicant: Dan Dixon. Project Planner: Kim Duncan, 408-586-3283.
- e. **S-ZONE AMENDMENT NO. P-SA2003-79 AND COMPLIANCE WITH SPECIAL CONDITIONS FOR PLANNED UNIT DEVELOPMENT NO. P-PD2002-2 (MARTINEZ RESIDENCE):** Request for an exterior color change and compliance with Special Conditions in regards to a revised building setback of 40 feet, extension of stone veneer along the south elevation and location of the building envelope for a hillside residence located at 1000 Country Club Drive (APN: 029-03-014). Applicant: Norm LaCroix. Project Planner: Troy Fujimoto, 408-586-3287

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR JUNE 11, 2003
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** May 28, 2003
- V. ANNOUNCEMENTS:**
- VI. APPROVAL OF THE AGENDA**
- VII. CONSENT CALENDAR** (Items with an asterisk *)

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

VIII. PUBLIC HEARING

- * **1. USE PERMIT NO. P-UP2003-18:** A request to operate a grocery store (Manila Oriental Foods) in an existing 1,380 square foot retail space in Calaveras Plaza at 179 West Calaveras Boulevard, zoned C2 – General Commercial district (APN 022-25-048). Applicant: Lucita Finuliar. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ# 2333). *(Recommendation: Approval with conditions)*
- * **2. USE PERMIT AMENDMENT NO. P-UA2003-7 and S-ZONE AMENDMENT (P-SA2003-23):** A request to add 1,700 square feet and 84 seats (72 in the dining area and 12 in the waiting area) to the existing King Crab restaurant at Calaveras Plaza without adding the 25 parking spaces required for the building expansion at 269 West Calaveras Boulevard, zoned C2 - General Commercial district (APN 022-25-041). Applicant: Peter Chan. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ# 2322). *(Recommendation: Approval with conditions)*

- * 3. **USE PERMIT AMENDMENT NO. P-UA2002-8:** *(Continued from May 28, 2003 meeting)* A request to add 17 seats (12 to the dining room and 5 in the waiting area) and beer and wine sales at an existing restaurant (Tofu House) without adding the six (6) parking spaces required for the expansion at 231 Calaveras Boulevard, zoned C2 - General Commercial district (APN 022-25-041). Applicant: Sung Ho Yoon. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ# 2245). *(Recommendation: Approval with conditions)*
- * 4. **USE PERMIT NO. P-UP2003-12 AND 'S' ZONE AMENDMENT NO. P-SA2003-44:** A request to operate a 1,792 square foot fast food restaurant with 22 seats in an existing tenant space and install a new exterior door at Ulfert's Center at 678 Barber Lane, zoned C2 - General Commercial (APN: 088-01-035). Applicant: Eric Au. Project Planner: Staci Pereira, (408) 586-3278. (PJ # 2325) *(Recommendation: Approval with conditions)*
- * 5. **USE PERMIT NO. P-UP2003-10 AND 'S' ZONE AMENDMENT NO. P-SA2003-43:** A request to operate a 1,200 square foot restaurant with 18 seats in an existing tenant space and install a new exterior door at Ulfert's Center at 680 Barber Lane, zoned C2 - General Commercial (APN: 088-01-035). Applicant: Eric Au. Project Planner: Staci Pereira, (408) 586-3278. (PJ # 2323) *(Recommendation: Approval with conditions)*
- * 6. **USE PERMIT NO. P-UP2003-11 AND 'S' ZONE AMENDMENT NO. P-SA2003-64:** A request to operate a 1,200 square foot fast food restaurant with 12 seats in an existing tenant space and enlarge the existing trash enclosure at Ulfert's Center at 660 Barber Lane, zoned C2 - General Commercial (APN: 088-01-035). Applicant: Eric Au. Project Planner: Staci Pereira, (408) 586-3278. (PJ # 2324) *(Recommendation: Approval with conditions)*
- * 7. **VARIANCE NO. P-VA2003-2 AND 'S' ZONE AMENDMENT NO. P-SA2003-61:** A request to exceed the maximum allowed impervious surface coverage in order to accommodate wood decking and other back yard amenities for the single family hillside residence located at 510 Vista Spring Court (APN 042-30-017). Applicant: Franklin and Celina Camillo. Project Planner: Annelise Judd, (408) 586-3273. *(Recommendation: Continue to June 25, 2003 meeting)*
- 8. **ZONING ORDINANCE TEXT AMENDMENT (P-ZT2003-2) AND ENVIRONMENTAL IMPACT ASSESSMENT NO. P-EA2003-6:** Proposed Ordinance No. 38.762, an amendment to the zoning ordinance to clarify with which principal uses accessory massage services are allowed in the city, and a related draft negative declaration. Applicant: City of Milpitas. Project Planner: Troy Fujimoto, (408) 586-3287. *(Recommendation: Recommend to Council approval of the Negative Declaration (EIA No. P-EA2003-6) and adoption of Ordinance No. 38.762 to amend the Zoning Ordinance (P-ZT2003-2) for accessory massage uses)*

IX. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS June 25, 2003

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Deepka Lalwani-regular member, Alex Galang-regular member, Dem Nitafan-alternate member and Chair Hay-when a regular and the alternate member are not available) of the Planning Commission, who have approval authority for minor “S” Zone project reviews not involving public hearings. The project reviews are held at **6:30 P.M.** on Planning Commission meeting nights, in the City of Milpitas City Hall Committee Room, First Floor, 455 E. Calaveras Boulevard.

- a. S-ZONE AMENDMENT NO. P-SA2003-66:** Request for a 1-day outdoor event located at the Great Mall rear parking lot near the food court entrance (APN: 086-24-055). Applicant: Gina Hurley. Project Planner: Cindy Hom, (408) 586-3284.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR MAY 28, 2003
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under two minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** May 14, 2003
- V. ANNOUNCEMENTS:**
- VI. APPROVAL OF THE AGENDA**
- VII. CONSENT CALENDAR** (Items with an asterisk *)

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

VIII. PUBLIC HEARING

- * **1. USE PERMIT NO. P-UP2003-15:** A request to operate a grocery store in an existing 1,050 square foot retail space in Milpitas Square at 272 Barber Court, zoned C2 – General Commercial district (APN 86-01-043). Applicant: Ching-Lin Chang. Project Planner: Staci Pereira, (408) 586-3278. (PJ# 2329).
(Recommendation: Approval with Conditions)
- * **2. USE PERMIT NO. P-UP2003-13:** A request to operate a Chinese fast food restaurant and bakery, New Hwong Kok Bakery, with 8 seats in an existing 1,501 square foot retail space in Crescent Square at 1705 N. Milpitas Blvd., zoned C1 - Neighborhood Commercial district (APN 22-02-049). Applicant: Hau-Ching Liao. Project Planner: Staci Pereira, (408) 586-3278. (PJ# 2331).
(Recommendation: Approval with Conditions)
- * **3. USE PERMIT NO. P-UP2003-14:** A request to operate a printing shop using conventional offset printing presses in an existing 13,843 square foot tenant space at 1090 S. Milpitas Blvd., zoned M2 - Heavy Industrial district (APN 86-30-38). Applicant: Danny Luong. Project Planner: Staci Pereira, (408) 586-3278. (PJ# 2327). *(Recommendation: Approval with Conditions)*

- * 4. **TIME EXTENSION (P-TE2003-3):** A request for a one time, 18-month time extension of a previously-approved Site and Architecture Review for demolition of existing structures and construction of 2 new, two-story research and development/offices, totaling 80,000 square feet, at 985 Montague Expressway, zoned M2, Heavy Industrial district (APN: 086-32-020). Applicant: WPI/JCI LLC. Project Planner: Troy Fujimoto, (408) 586-3287. (*Recommendation: Approval with Conditions*)
- 5. **USE PERMIT NO. P-UP2003-17 and 'S' ZONE AMENDMENT NO. P-SA2003-8:** A request for the installation of twelve (12) telecommunication antennas and associated equipment cabinet on the Embassy Suites Hotel rooftop located at 901 E. Calaveras Boulevard, zoned Town Center (APN: 028-26-001). Applicant: Verizon Wireless. Project Planner: Kim Duncan, (408) 586-3283. (PJ #2246). (*Recommendation: Denial*)
- * 6. **USE PERMIT NO. P-UA2002-8:** (*Continued from April 9, 2003*) A request for beer and wine sales and a reduction in the number of parking spaces required by the zoning code in conjunction with a request to add 12 seats to an existing 37-seat Tofu House restaurant. (APN 022-25-041). Applicant: Sung Ho Yoon. Project Planner: Troy Fujimoto 586-3287. (PJ#2245) (*Recommendation: Continue to June 11, 2003*)
- * 7. **USE PERMIT AMENDMENT P-UA2002-11:** Six-month follow-up review regarding extension of business hours and live entertainment (karaoke) at the Lutong Pinoy Filipino Cuisine restaurant, located at 1245 Jacklin Road. (APN 29-9-57). Applicant: Lutong Pinoy Filipino Cuisine. Project Planner: Annelise Judd, (408) 586-3273. (*Recommendation: Note receipt and file*)
- * 8. **USE PERMIT NOS. P-UA2003-5 AND P-UA2003-10 AND "S" ZONE AMENDMENT NO. P-SA2003-12:** Request to amend previous use permits and site and architectural approvals for 9 telecommunication antennas housed in an additional building story for approval of 12 antennas and associated equipment housed in a proposed 256 square foot clock tower, 62'-10" in height at 1000 Jacklin Road (APN: 28-05-015) and the related Negative Declaration. Applicant: AT&T Wireless. Project Planner: Staci Pereira, (408) 586-3278. (PJ#2286) (*Recommendation: Approval with Conditions*)

IX. NEW BUSINESS

- * 9. **RESOLUTION NO. 493 (P-AD2003-7):** Adoption of a Resolution finding the proposed purchase of properties described as APN Nos. 86-11-013, 86-10-025, and a portion of 86-05-009 by the Redevelopment Agency is consistent with the General Plan. Staff Contact: James Lindsay, 586-3274. (*Recommendation: Adopt Commission Resolution*)

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS June 11, 2003

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Deepka Lalwani-regular member, Alex Galang-regular member, Dem Nitafan-alternate member and Chair Hay-when a regular and the alternate member are not available) of the Planning Commission, who have approval authority for minor “S” Zone project reviews not involving public hearings. The project reviews are held at **6:30 P.M.** on Planning Commission meeting nights, in the City of Milpitas City Hall Committee Room, First Floor, 455 E. Calaveras Boulevard.

- a. S-ZONE AMENDMENT NO. P-SA2003-57:** Request for an 810 square foot addition to a single-family hillside residence located at 1854 Saint Andrews Court (APN: 029-53-021). Applicant: Solarium Construction. Project Planner: Kim Duncan, (408) 586-3283.
- b. CONFORMANCE WITH SPECIAL CONDITON:** Review conformance with Special Condition No. 3 (fencing plan) and No. 6 (building envelope, setback, and elevation) related to Planned Unit Development No. P-PD2002-2 (APN: 029-03-014). Applicant: Christina Martinez. Project Planner: Troy Fujimoto, (408) 586-3287.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR MAY 14, 2003
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under two minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** April 23, 2003
- V. ANNOUNCEMENTS:**
- VI. APPROVAL OF THE AGENDA**
- VII. CONSENT CALENDAR** (Items with an asterisk *)

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

VIII. PUBLIC HEARING

- 1. "S" ZONE APPROVAL NO. P-SZ2002-6, USE PERMIT NO. P-UP2002-35 AND ENVIRONMENTAL IMPACT ASSESSMENT NO. P-EA2003-1:** A request for a mixed use development consisting of 102 residential units and 6,000 square feet of retail that exceeds the height and setback regulations for the MXD-TOD district and includes vacation of a portion of Weller Lane, North Main Street and Railroad Court, and approval of the related Negative Declaration for the property located at 230 North Main Street (APN 028-24-017 and -018). Applicant: Apton Properties, LLC. Project Planner: Staci Pereira, (408) 586-3278. (PJ# 3144) *(Recommendation: Adopt the Negative Declaration (P-EA2003-1), approve "S" Zone Approval (P-SZ2002-6) and Use Permit No. P-UP-2002-35 and recommend to the City Council the partial vacations of Weller Lane, North Main Street and Railroad Court and the land swap acquisition of 4,660 square feet are not in conflict with the General Plan and recommend Council approval of the Density Bonus)*
- * 2. USE PERMIT AMENDMENT P-UA2003-8:** Request to delete the drive-up teller/ATM service at Citibank, 5 N. Milpitas Blvd. (APN: 28-22-11). Applicant: CAS Architects. Project Planner: Annelise Judd, (408) 586-3273. (PJ#2326) *(Recommendation: Approval with conditions)*

- * 3. **USE PERMIT NO. P-UP2003-16:** Request for approval to locate a 3,200 square foot religious facility in an existing building, zoned Heavy Industrial, located at 1757 Houret Court (APN: 86-41-009) and to provide nine (9) fewer parking spaces than is required by code as part of a parking reduction. Applicant: Calvary Chapel Milpitas. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ#2332) *(Recommendation: Approval with Conditions)*
- * 4. **USE PERMIT AMENDMENT NO. P-UA2003-9:** Request to add live entertainment, including dancing and karaoke to an existing restaurant (Green Bamboo) at 420 South Main Street (APN: 086-40-001). Applicant: Michael Pham. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ#2328) *(Recommendation: Approval with Conditions)*
- * 5. **MINOR TENTATIVE PARCEL MAP NO. P-MI2003-1:** Request to legalize a parcel at 600 Evans Road as a lot of record through the subdivision map process. (APN: 029-30-017). Applicant: Harry Babicka. Project Planner: Staci Pereira, (408) 586-3278. (PJ#2285) *(Recommendation: Approval with Conditions)*
- * 6. **TIME EXTENSION (P-TE2003-2):** Request for a one time, 18-month time extension of a previously approved Site and Architecture Review and Use Permit for a religious facility at 91 Montague Expressway (APN: 086-34-012). Applicant: Mohammad Farooq Rydhan. Project Planner: Troy Fujimoto, (408) 586-3287. *(Recommendation: Approval with Conditions)*
- * 7. **USE PERMIT NOS. P-UA2003-5 AND P-UA2003-10 AND "S" ZONE AMENDMENT NO. P-SA2003-12:** Request to amend previous use permits and site and architectural approvals for 9 telecommunication antennas housed in an additional building story for 12 antennas and associated equipment housed in a proposed 256 square foot clock tower, 62'-10" in height at 1000 Jacklin Road (APN: 28-05-015). Applicant: AT&T Wireless. Project Planner: Staci Pereira, (408) 586-3278. (PJ#2286) *(Recommendation: Continue to May 28, 2003)*

IX. NEW BUSINESS

- 8. **NEW C.3 URBAN RUNOFF REQUIREMENTS PRESENTATION:** Overview of the new C.3 urban runoff requirements, including new draft guidebook and revised development review process, for development projects. Project Planner: Annelise Judd, (408) 586-3273. *(Recommendation: N/A)*

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS May 28, 2003

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

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- a. P-SA2003-51:** Four (4) annual outdoor tent sales (lasting 2 weeks each) located at 200 Serra Way (APN: 086-07-024). Applicant: Oak Leaf Furniture. Project Planner: Kim Duncan, 586-3283.
- b. P-SA2003-52:** Install 432 square feet equipment shelter located at 454 South Abbott Avenue (APN: 086-06-011). Applicant: Stuart Rental. Project Planner: Kim Duncan, 586-3283.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR APRIL 23, 2003
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under two minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** April 9, 2003
- V. ANNOUNCEMENTS:**
- VI. APPROVAL OF THE AGENDA**
- VII. CONSENT CALENDAR** (Items with an asterisk *)

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

VIII. PUBLIC HEARING

- * **1. HILLSIDE SITE & ARCHITECTURAL REVIEW (P-SA2003-19):** Request to revise previously approved plans for a not-yet-constructed hillside residence, deleting the previously approved basement with skylights, and adding a patio cover. (APN: 42-30-009). Applicant: Kevin Chiang. Project Planner: Annelise Judd, 586-3273 (*Recommendation: Recommend approval with conditions to the City Council*)
- * **2. SITE AND ARCHITECTURE APPROVAL (P-SZ2003-3):** A request to construct a 4,000 square foot commercial building, with associated parking and landscape modifications at 100 North Milpitas Boulevard (APN: 028-12-021). Applicant: Shapell Industries of Northern California. Project Planner: Troy Fujimoto, 586-3287. (*Recommendation: Approval with Conditions*)
- 3. VARIANCE (P-V2003-1):** A request for variance to allow a residential addition 2 feet into the required side yard setback of a legal non-conforming structure located at 123 North Gadsden Drive (APN: 029-18-009). Applicant: Chad and Jessica Leffler. Project Planner: Kim Duncan, 586-3283. (*Recommendation: Denial*)

- * 4. **"S" ZONE APPROVAL NO. P-SZ2002-6, USE PERMIT NO. P-UP2002-35 AND ENVIRONMENTAL IMPACT ASSESSMENT NO. P-EA2003-1:** Request for a mixed use development consisting of 101 residential units and 6,000 SF of retail that exceeds the height and setback regulations for the MXD-TOD district and includes vacation of a portion of Weller Lane and approval of the related Negative Declaration for the property located at 230 North Main Street (APN 028-24-017 and -018). Applicant: Apton Properties, LLC. Project Planner: Staci Pereira, 408-586-3278. (*Recommendation: Continue to May 14, 2003*)

IX. NEW BUSINESS

- * 5. **SITE AND ARCHITECTURE AMENDMENT (P-SA2003-45):** A request to install a 6-foot high property fence along the rear and sides of the property in the hillside area at 638 Quince Lane (APN: 029-59-009). Project Planner: Troy Fujimoto, 586-3287. (*Recommendation: Approval with Conditions*)
6. **"S" ZONE AMENDMENT NO. P-SA2003-3:** Request for building and site improvements associated with converting a residence to a commercial building for medical use at 429 South Main Street (APN 086-10-022). Applicant: Hien N. Nguyen and Nicole Thanh-Cam Vecchi. Project Planner: Staci Pereira, 586-3278 (*Recommendation: Denial*)

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS May 14, 2003

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MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members of the Planning Commission, who have approval authority for minor "S" Zone project reviews not involving public hearings. The project reviews are held at **6:30 P.M.** on Planning Commission meeting nights, in the City of Milpitas City Hall Committee Room, First Floor, 455 E. Calaveras Boulevard.

- a. **P-SA2003-46:** 1,100 square-foot building addition for Citibank, 5 N. Milpitas Boulevard (APN: 028-22-11). Applicant: Keith Dacosta, CAS Architects. Project Planner: Annelise Judd, 586-3273.
- b. **P-SA2003-29:** New building signage and reface of existing monument sign located at 1521 California Circle (APN: 022-37-046). Applicant: Cal-Neon. Project Planner: Kim Duncan, 586-3283.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR APRIL 9, 2003
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** March 26, 2003
- V. ANNOUNCEMENTS:**
- VI. APPROVAL OF THE AGENDA**
- VII. CONSENT CALENDAR** (Items with an asterisk *)

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

VIII. PUBLIC HEARING

- * **1. USE PERMIT NO. P-UP2003-6 and S-ZONE AMENDMENT (P-SA2003-13):** A request to locate an approximately 11,500 square foot specialty retail store selling alcoholic and non-alcoholic beverages, gourmet food and accessories (Beverages and More) at 1210 Great Mall Drive (APN: 086-24-055). Project Planner: Troy Fujimoto, 586-3287. (PJ# 3156) *(Recommendation: Approval with Conditions)*
- 2. USE PERMIT NO. P-UP2003-4 and S-ZONE AMENDMENT (P-SA2003-22):** Request to install 6 telecommunications antennas on the building roof, and equipment cabinets in a ground enclosure, at Heald College, 341 Great Mall Pkwy (APN: 86-24-57). Applicant: Verizon Wireless. Project Planner: Annelise Judd, 586-3273. (PJ# 2319) *(Recommendation: Approval with Conditions)*
- * **3. USE PERMIT NO. P-UP2003-7 and S-ZONE AMENDMENT (P-SA2003-21):** Request to install 3 telecommunications antennas inside the church tower, and equipment cabinets in a ground enclosure, at Mt. Olive Church, 1989 E. Calaveras Blvd. (APN: 29-25-7). Applicant: Sprint. Project Planner: Annelise Judd, 586-3273. (PJ# 2320) *(Recommendation: Approval with Conditions)*

- * 4. **SIX-MONTH REVIEW OF USE PERMIT AMENDMENT NO. P-UA2002-22:** Verification of compliance with conditions of approval and Resolution No. 449 for a restaurant with outdoor seating (a total of 28 seats indoors and outdoors) at 279 Jacklin Road (APN 29-28-029). Applicant: Mercedes Albana. Project Planner: Staci Pereira, 586-3278. (PJ#2308) (*Recommendation: Note receipt and file*)
- * 5. **USE PERMIT NO. P-UP2003-9:** A request to operate a 1,200 square feet grocery store and meat market (Milpitas Halal Market), at 74 Dempsey Road (APN 88-04-001). Applicant: Al-Khafaji Hassan. Project Planner: Staci Pereira, 586-3278. (PJ# 2321) (*Recommendation: Approval with Conditions*)
- 6. **AMENDMENT TO THE ZONING ORDINANCE TEXT (P-ZT2003-1):** (*Continued from March 12, 2003*) Amendment to Title XI, Chapter 10 (Planning, Zoning, and Annexation) of the Milpitas Municipal Code Relating to Establishing Affordable Housing Regulations and In-Lieu Housing Fee. Staff Contact: Felix Reliford, 586-3071. (*Recommendation: Recommend approval to City Council*)
- 7. **AMENDMENTS TO THE GENERAL PLAN AND MIDTOWN SPECIFIC PLAN, AMENDMENTS TO THE ZONING ORDINANCE TEXT AND MAPS, AND OF A RELATED DRAFT NEGATIVE DECLARATION (P-GM2003-1, P-ZT2003-1, P-ZC2003-1, P-EA2003-1):** (*Continued from March 26, 2003*) Recommend to City Council to:
 - 1. Adopt a resolution approving the Negative Declaration (EIA NO. P-EA2003-1);
 - 2. Adopt a resolution approving General Plan and Midtown Specific Plan map amendments (P-GM2003-1) relating to properly designating existing parks in the POS classification;
 - 3. Adopt a resolution approving General Plan and Midtown Specific Plan map amendments (P-GM2003-1) affecting the Midtown Plan Area relating to the addition of three (3) Serra Center parcels to the Midtown Specific Plan Area;
 - 4. Adopt Ordinance No. 38.761 for amendments to the Zoning Ordinance text and map (P-ZT2003-1 and P-ZC2003-1) affecting Midtown Plan Area relating to text amendment item nos. 8, 14, 19, 20, 26, 27, 28, 29, 30, and 34; and
 - 5. Adopt Ordinance No. 38.761 for amendments to the Zoning Ordinance text and map (P-ZT2003-1 and P-ZC2003-1) not affecting Midtown Plan Area relating to text amendment item nos. 1, 3, 4, 6, 7, 11, 13, 15, 17, 18, 21, 22, 23, 24, 25, 31, 32, and 35.

Project Planner: Staci Pereira, 586-3278 (*Recommendation: Approval to City Council*)

- * 8. **USE PERMIT NO. P-UA2002-8:** *(Continued from February 26, 2003)* A request for beer and wine sales and a reduction in the number of parking spaces required by the zoning code in conjunction with a request to add 12 seats to an existing 37-seat Tofu House restaurant. (APN 022-25-041). Applicant: Sung Ho Yoon. Project Planner: Troy Fujimoto 586-3287. (PJ#2245) *(Recommendation: Continue to May 28, 2003)*

IX. NEW BUSINESS

9. **RESOLUTION NO. 492 (P-AD2003-4):** Adoption of a Resolution finding the proposed Eighth Amendment to the Redevelopment Plan for Project Area No. 1 conforms to the General Plan and recommending approval of the Eighth Amendment and certification of the Environmental Impact Report to the Redevelopment Agency and City Council. Staff Contact: James Lindsay, 586-3274. *(Recommendation: Adopt Commission Resolution)*
10. **PRESENTATION OF 2003-2008 CAPITAL IMPROVEMENT PROGRAM:** Presentation of an overview of the proposed Draft 2003-2008 CIP Document for recommendation to Council. Staff Contact: Mike McNeely, 586-3301. *(Recommendation: Review park segment projects and advise staff accordingly)*

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS April 23, 2003

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MILPITAS PLANNING COMMISSION SUBCOMMITTEE

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- a. **S-ZONE AMENDMENT NO. P-SA2003-36:** Request to replace existing seven (7) foot tall chain link fence with an eight (8) foot tall chain link fence with slats at rear of trucking yard located at 231 Houret Drive. Applicant: Universal Sweeping Services. Project Planner: Kim Duncan, 408-586-3283.
- b. **S-ZONE AMENDMENT NO. P-SA2003-42:** Request to apply polyurethane foam (SPF) roofing material on existing industrial building metal roof located at 1200 Ames Avenue. Applicant: Whiteside Construction. Project Planner: Kim Duncan, 408-586-3283.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR MARCH 26, 2003
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under two minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** March 12, 2003
- V. ANNOUNCEMENTS:**
- VI. APPROVAL OF THE AGENDA**
- VII. CONSENT CALENDAR** (Items with an asterisk *)

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

VIII. PUBLIC HEARING

- * 1. **USE PERMIT AMENDMENT NO. P-UA2003-6:** Six-month review of Anh Hong Saigion Restaurant (233 West Calaveras Boulevard, APN: 022-25-041) to verify compliance with special conditions of approval associated with the Use Permit Amendment No. P-UA2002-9, including the construction of a garbage enclosure. Project Planner: Troy Fujimoto, 408-586-3287. (PJ# 2138)
(Recommendation: Add an additional special condition and extend six month review for six-months)
- * 2. **USE PERMIT NO. P-UP2003-5 & S-ZONE AMENDMENT (P-SA2003-15)**
APPROVAL: A request for building signage for a combination gas station and fast food restaurant, including a new 9.5-foot high internally illuminated freestanding sign at 1551 California Circle (APN: 022-37-040). Project Planner: Troy Fujimoto, 408-586-3287. (PJ# 2318) *(Recommendation: Approval with Conditions)*

3. **"S" ZONE APPROVAL NO. P-SZ2002-6, USE PERMIT NO. P-UP2002-35 AND ENVIRONMENTAL IMPACT ASSESSMENT NO. P-EA2003-1:** A request for a mixed use development consisting of 101 residential units and 6,000 SF of retail that exceeds the height and setback regulations for the MXD-TOD district and includes vacation of a portion of Weller Lane and approval of the related Negative Declaration for the property located at 230 North Main Street (APN 028-24-017 and -018). Applicant: Apton Properties, LLC. Project Planner: Staci Pereira, 408-586-3278. (PJ# 3144) *(Recommendation: Adopt the Negative Declaration (P-EA2003-1), approve "S" Zone Approval (P-SZ2002-6) and Use Permit No. P-UP-2002-35 based on the Findings and Special Condition of Approval listed below and recommend to the City Council the partial vacation of Weller Lane is not in conflict with the General Plan)*

4. **AMENDMENTS TO THE GENERAL PLAN AND MIDTOWN SPECIFIC PLAN, AMENDMENTS TO THE ZONING ORDINANCE TEXT AND MAPS, AND OF A RELATED DRAFT NEGATIVE DECLARATION (P-GM2003-1, P-ZT2003-1, P-ZC2003-1, P-EA2003-1):** Recommend to City Council to:

1. Adopt a resolution approving the Negative Declaration (EIA NO. P-EA2003-1);
2. Adopt a resolution approving General Plan and Midtown Specific Plan map amendments (P-GM2003-1) relating to properly designating existing parks in the POS classification;
3. Adopt a resolution approving General Plan and Midtown Specific Plan map amendments (P-GM2003-1) affecting the Midtown Plan Area relating to the addition of three (3) Serra Center parcels to the Midtown Specific Plan Area;
4. Adopt Ordinance No. 38.761 for amendments to the Zoning Ordinance text and map (P-ZT2003-1 and P-ZC2003-1) affecting Midtown Plan Area relating to text amendment item nos. 8, 14, 19, 20, 26, 27, 28, 29, 30, and 34; and
5. Adopt Ordinance No. 38.761 for amendments to the Zoning Ordinance text and map (P-ZT2003-1 and P-ZC2003-1) not affecting Midtown Plan Area relating to text amendment item nos. 1, 3, 4, 6, 7, 11, 13, 15, 17, 18, 21, 22, 23, 24, 25, 31, 32, and 35.

Project Planner: Staci Pereira, 586-3278 *(Recommendation: Approval to City Council)*

5. **AMENDMENT TO THE ZONING ORDINANCE TEXT (P-ZT2003-1):** Amendment to Title XI, Chapter 10 (Planning, Zoning, and Annexation) of the Milpitas Municipal Code to establish inclusionary housing provisions. Staff Contact: Felix Reliford, 586-3071. *(Recommendation: Continue to the April 9, 2003 Planning Commission meeting)*

IX. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS April 9, 2003

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division 48 hours prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

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- a. **S-ZONE AMENDMENT NO. P-SA2003-25:** Request for a 5 foot 9 inch monument sign for the India Community Center located at 555 Los Coches Street. Applicant: India Community Center. Project Planner: Kim Duncan, 408-586-3283.
- b. **S-ZONE AMENDMENT NO. P-SA2003-26:** Request for a new roll-up door, entries, removal or over 200 square feet of landscaping and parking modifications at 880 Yosemite Way (APN:086-31-066). Applicant: AAI. Project Planner: Kim Duncan, 408-586-3283

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR MARCH 12, 2003
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** February 26, 2003
- V. ANNOUNCEMENTS:**
- VI. RECOGNITION OF FORMER ASSOCIATE PLANNER MARINA RUSH:**
(A short recess will be called)
- VII. APPROVAL OF THE AGENDA:**
- VIII. CONSENT CALENDAR:**(Items with an asterisk *)

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IX. PUBLIC HEARING

- * **1. USE PERMIT NO. P-UA2002-21:** Request for reduction in the number of parking spaces required by code to add 24 seats and beer and wine sales at 89 S. Park Victoria Drive (APN 88-04-048). Applicant: Yuri Tofu House. Project Planner: Staci Pereira, 583-3278. (PJ #2306) *(Recommendation: Approval with Conditions)*
- * **2. USE PERMIT NO. P-UA2003-1 and 'S' ZONE AMENDMENT NO. P-SA2003-14:** A request to operate a year round Farmer's Market (APN 28-13-015) in the Milpitas Town Center East front parking lot twice a week. Applicant: Pacific Coast Farmer's Market Association. Project Planner: Kim Duncan, 586-3283. (PJ# 2317) *(Recommendation: Approval with Conditions)*

X. NEW BUSINESS

3. **ZONING ORDINANCE TEXT AMENDMENT NO. P-ZT2003-1 (ORDINANCE NO. 38.761):** Discussion of proposed ordinance regarding affordable housing and in-lieu housing fee. Project Planners: Felix Reliford, 586-3071/Annelise Judd, 586-3273. *(Recommendation: Provide guidance and direct staff to proceed with the zoning code amendment presented)*
4. **CITY'S 50TH ANNIVERSARY SUBCOMMITTEE:** Select a Committee Planning Commission Representative and Alternate. Planning Manager: Tambri Heyden, 586-3280. *(Recommendation: N/A)*

XI. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS March 26, 2003

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MILPITAS PLANNING COMMISSION SUBCOMMITTEE

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- a. There being no items for consideration, the Planning Commission Subcommittee meeting is canceled.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR FEBRUARY 26, 2003
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** February 5, 2003
- V. ANNOUNCEMENTS:**
- VI. APPROVAL OF THE AGENDA**
- VII. CONSENT CALENDAR** (Items with an asterisk *)

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

VIII. PUBLIC HEARING

- * **1. USE PERMIT NO. P-UP2002-28 AND "S" ZONE APPROVAL-AMENDMENT P-SA2003-16:** Request to install six telecommunications antennas within a roof screen and built-up parapet, and three ground-mounted equipment cabinets within fence enclosure at 1102 Pecten Court (APN 92-08-078). Applicant: AT&T Wireless. Project Planner: Annelise Judd, (408) 586-3273. (PJ #2302) (*Recommendation: Approval with Conditions*)
- * **2. USE PERMIT NO. P-UP2002-8:** A request to increase seating from 37 to 49 for an existing restaurant (Tofu House), add on-site beer and wine sales, and approve a parking reduction in conjunction with the increase in seating at 231 West Calaveras Boulevard (APN:022-25-041). Applicant: Sung Ho Yoon. Project Planner: Troy Fujimoto, (408) 586-3287. (PJ #2245) (*Recommendation: Continue to April 9, 2003*)
- * **3. USE PERMIT NO. P-UA2002-21:** Request for a parking reduction to add additional seating and beer and wine sales at 89 S. Park Victoria Drive (APN 88-04-048). Applicant: Yuri Tofu House. Project Planner: Staci Pereira, 583-3278. (PJ #2306) (*Recommendation: Continue to March 12, 2003*)

IX. NEW BUSINESS

- * 4. **S-ZONE AMENDMENT NO. P-SA2003-9:** A request for a sign program for a multi-tenant building and signage for a Starbucks at 1541 California Circle (APN: 022-37-002). Applicant: Delta Signs. Project Planner: Troy Fujimoto, 408-586-3287. *(Recommendation: Approval with Conditions)*
- 5. **ZONING ORDINANCE TEXT AMENDMENT NO. P-ZT2003-1 (ORDINANCE NO. 38.761), GENERAL PLAN MAP AMENDMENT NO. P-GM2003-1 AND ZONING MAP AMENDMENT NO. P-ZC2003-1:** Discussion of proposed Ordinance No. 38.761 regarding miscellaneous zoning code text amendments and amendments to the General Plan and zoning maps properly designating existing parks in the POS classification and adding the remainder of the Serra Center to the Midtown Area. Project Planner: Staci Pereira, 586-3278. *(Recommendation: Provide guidance and direct staff to proceed with the zoning code, zoning map and General Plan map amendments presented)*

X. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS March 12, 2003

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MILPITAS PLANNING COMMISSION SUBCOMMITTEE

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- a. There being no items for consideration, the Planning Commission Subcommittee meeting is canceled.

**CITY OF MILPITAS PLANNING COMMISSION
AGENDA FOR FEBRUARY 5, 2003
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

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- IV. APPROVAL OF MINUTES:** January 22, 2003
- V. ANNOUNCEMENTS:**
- VI. APPROVAL OF THE AGENDA**
- VII. CONSENT CALENDAR** (Items with an asterisk *)

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

VIII. NEW BUSINESS

- 1. AMATEUR RADIO ANTENNAS DISCUSSION (P-AD2003-1):** Discussion of the existing approval process and review criteria for amateur radio antennas. Project Planner: Kim Duncan, 586-3283. *(Recommendation: Initiate Zoning Code Amendment)*
- 2. HOLIDAY PARKING REVIEW (P-AD2003-2) FOR USE PERMIT (NO. 1166) AMENDMENT NO. P-UA2002-4:** Holiday parking review for the Great Mall Shopping Center, as part of the use permit for a parking modification (APN 086-24-055). PJ#3090. Applicant: Swerdlow Real Estate Group Inc. Project Planner: Joe Oliva, 596-3290. *(Recommendation: Note receipt and file)*

IX. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS February 26, 2003

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- a. S-ZONE AMENDMENT NO. P-SA2003-4,** A request to modify the existing garbage and loading area at Red Lobster Restaurant at 503 E. Calaveras Boulevard. Applicant: Red Lobster. Project Planner: Troy Fujimoto, 408-586-3287.